City of Lafayette
Public Meeting Agenda
City Council Special Meeting
Redevelopment Agency Special Meeting

Monday, January 26, 2009 **6:15 pm**
Lafayette Community Center – **Sequoia Room**
500 St. Mary's Road, Lafayette, California

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1. CALL TO ORDER
2. ROLL CALL
3. ADOPTION OF AGENDA
4. PUBLIC COMMENTS

Convene Redevelopment Agency

5. CLOSED SESSION
   A. **Conference with Legal Counsel – Anticipated Litigation: Significant exposure to Litigation pursuant to Government Code section 54956.9(b) (1 Case)**

   Adjourn Redevelopment Agency

   B. **Conference with Legal Counsel – Anticipated Litigation: Significant exposure to Litigation pursuant to Government Code section 54956.9(b) (1 Case)**

   C. **Conference with Legal Counsel-Existing Litigation**
   Government Code section 54956.9(a)
   Colby v. City of Lafayette et al.
   Case No. N08-1508

6. ADJOURNMENT

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

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City of Lafayette
Public Meeting Agenda
City Council Regular Meeting
Redevelopment Agency Special Meeting
Planning Commission Special Meeting

Monday, January 26, 2009 **7:00 pm**
Lafayette Community Center – Manzanita Room
500 St. Mary's Road, Lafayette, California

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1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
   Flag Ceremony Girl Scout Troop #31007 – Stanley School 7th Grade
4. ADOPTION OF AGENDA
5. REPORT FROM CLOSED SESSION
6. PUBLIC COMMENTS
7. PRESENTATIONS
   A. **Stanley-Springbrook Traffic Calming Project - Neighborhood Match by the Acalanes Valley and Ridge Neighborhood**
   Recommendation: 1) Thank the neighborhood and accept matching contribution for the Stanley-Springbrook Traffic Calming Project. 2) Allocate $70,000 of Traffic Calming Program fund reserves for the design and construction of the project. 3) Amend the 2009 CIP to include construction of the project.

   B. **Lt. Mike Hubbard, Police Services Manager**
   Annual Police Report
   Recommendation: Receive and file.

8. OLD BUSINESS

   Convene joint City Council and Planning Commission

9. STAFF REPORTS
   A. **Niroop Srivatsa, Planning & Building Services Manager**
   Planning Division Work Plan for 2009
   Recommendation: Approve the work plan for 2009.

   Adjourn the joint City Council and Planning Commission

10. PUBLIC HEARINGS
   A. **Christine Sinnette, Senior Planner**
   Appeal by Richard Holt of the Planning Commission denial of HDP47-07 and V17-08 for a request for a hillside development permit (HDP47-07) and variances (V17-08) to build a new two-story single family residence on a lot located at the intersection of Sierra Vista Way and Sessions Road (Tract 5332 Lot 66). APN 2332-052-019
   Recommendation: Adopt Resolution 2009-05 upholding the appeal by applicant of the Planning Commissions' denial of HDP47-07 and V17-08 and approving HDP47-07 and V17-08 subject to findings and conditions contained in the resolution.

11. CONSENT CALENDAR

A. **City Council Minutes**
January 12, 2009
Recommendation: Approve.

B. **Traci Reilly, Co-Chair Crime Prevention Commission**
Ordinance 579 repealing Chapter 56-4 of the Contra Costa County Code Entitled "Solicitors and Peddler" and adding Chapter 4-4 of the Lafayette Municipal Code Entitled "Solicitors, Peddlers and Canvassers"
Recommendation: Waive second reading of Ordinance 579 and adopt.

C. **Ann Merideth, Community Development Director**
Ordinance 578 repealing Chapter 6-26, Public Art, and adding Chapter 11-7, Public Art, and Resolution 2008-44 setting a public art fee and maintenance endowment requirement
Recommendation: Waive second reading of Ordinance 578 and adopt.

D. **Resolution 2009-02 approving a use fee rate of $17,018.46 for Lafayette Little League's use of Buckeye Fields for the 2009 season.**
Recommendation: Adopt Resolution 2009-02.

E. **Agreement for Installation and Maintenance of Existing and New Landscaping between Steve and Mary Buster and the City of Lafayette, located at 3822 Palo Alto Drive APN 244-023-020**
Recommendation: Accept agreement for Installation and Maintenance of Existing and New Landscaping and authorize the City Clerk to record.

F. **Resolution 2009-06 Supporting Local Match for Caltrans' Bicycle Transportation Account Grant Application**
Recommendation: Adopt Resolution 2009-06.

G. **Letter to the East Bay Regional Park District regarding Lafayette-Moraga Trails concerns**
Recommendation: Authorize the mayor to sign and send the letter to the East Bay Regional Park District.

H. **Letter of support for the County Library's application for an IMLS National Leadership planning grant for the Lafayette Library and Learning Center**
Recommendation: Direct staff to prepare letter for the Mayor's signature.

I. **DR38-08 Richard Burnside (applicant), Lafayette Improvement Association (owner) MRO Zoning: Request for issuance of a certificate of appropriateness pursuant to section 6-2131, Lafayette Municipal Code to replace an exterior door at the Lafayette Town Hall, a designated City Landmark, located at 3535 School Street; APN 234-042-010**
Recommendation: Adopt Resolution 2009-04 to issue a certificate of appropriateness.

J. **Investment Report as of December 31, 2008**
Recommendation: Receive and file.

K. **Resolution 2009-07 Appointing Standby Officers to the Lafayette City Council**
Recommendation: Adopt Resolution 2009-06.

L. **Review and Certification of the Lafayette's Measure C Checklist for Calendar Year 2006 and 2007 for Submittal to the Contra Costa Transportation Authority**

Recommendation: 1) Review the completed Checklist. 2) Find that Lafayette's policies and programs, as reported in the Checklist, conform to the requirements of the CCTA's Growth Management Program and authorize staff to forward the Checklist to the CCTA.

Convene Redevelopment Agency

M. **Resolution R2009-02 Approval of amendment of Critical Solutions, Inc., consultant for project advisor/management of Lafayette Library and Learning Center.**
Recommendation: Adopt Resolution R2009-02 to make the findings that obtaining new proposals for construction management services on the Lafayette Library and Learning Center Project would be impractical and to amend Critical Solutions, Inc.'s professional services agreement for the Project..

Adjourn Redevelopment Agency

12. COUNCIL/COMMISSION REPORTS
    A. Councilmember report on activities and consideration of matters a councilmember wishes to initiate for placement on a future agenda.

13. WRITTEN COMMUNICATIONS
    A. **Letter dated January 5, 2009 from Jay Lifson, C.E. O. Lafayette Chamber of Commerce, requesting permission for street closures as outlined in their letter for the 14th Annual Art & Wine Festival from 6pm Friday, September 18th until 10pm Sunday, September 20th, banners on the median light poles, publicity in Vistas and the Community Center newsletter and assistance from Lafayette police and public works departments.**
    Recommendation: Discuss and direct staff.

    B. **Letter dated January 5, 2009 from Jay Lifson, C.E.O. Lafayette Chamber of Commerce, requesting permission for street closures as outlined in their letter for the 2009 Lafayette Reservoir Run from 6am to 10:30am Sunday, October 25th, banners on the median light poles, publicity in Vistas and the Community Center newsletter and assistance from Lafayette police and public works departments.**
    Recommendation: Discuss and direct staff.

    C. **Letter dated January 8, 2009 from Jay Lifson, C.E.O. Lafayette Chamber of Commerce, requesting permission to use Lafayette Plaza on Tuesday, May 19 for the 6th Annual Taste of Lafayette from 4pm to 10pm and assistance from Lafayette police and public works departments.**
    Recommendation: Discuss and direct staff.

14. ADJOURNMENT to the next regularly scheduled meeting on Monday, February 9, 2009.

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

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City of Lafayette
General Information for Public Meetings

Location of Agendas and Agenda Packets: Agenda and packets are available for review by the public during regular work hours at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210. Agendas and packets shall be made available at least 72 hours in advance of each meeting. Agendas and staff reports are also available on the city website www.ci.lafayette.ca.us .

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132). Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Joanne Robbins, City Clerk at (925) 299-3210 at least 48 hours before the meeting, if possible.

Board1 Discussion: In accordance with State Law, the Board is generally prohibited from discussing and making decisions regarding items not posted on the agenda. Exceptions include items of urgency that become known to the Board after the posting of the agenda; discussion of such items requires a 4/5ths affirmative vote by the Board.

Persons Wishing to Speak: Any person may address the Board on any item listed on this agenda. Persons wishing to address the Board should complete a speaker slip and submit it to the City staff. In addressing the Board, speakers should step to the podium and state their names and addresses for the record.

Public Comments on Agenda Items: Persons wishing to speak on items listed on the agenda will be heard when called by the meeting chair. After the public has commented, the item will be closed to public comment and brought to the Board for discussion and action. There is no further comment permitted from the audience unless invited by the meeting chair.

Public Comments on Non-Agenda Items: Persons wishing to speak on matters not posted on this agenda are encouraged to submit the matter in writing to the City Clerk or staff aide at least ten days prior to the next regularly scheduled Board meeting date. Persons unable to do this may address the Board under the PUBLIC COMMENTS section of this agenda. Note, however, that such matters may be referred to staff for action or posted on a future agenda.

Time Limit on Comments: Persons will be permitted to speak for up to three minutes.

Posted Times: Posted times are estimated and actual times will vary. Public hearings may start later but never earlier than the posted time.

Reconsideration of Items: After the Board has acted on an agenda item, it may reconsider the same item later in the meeting in accordance with Council Rules of Proceedings II.D.4 in Resolution 17-95.

Consent Calendar: All matters listed under consent calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board or a member of the public prior to the time that the Board votes on the motion to adopt.

Notice Requirements: Lafayette Municipal Code Section 6-211 requires that the City provide public notice of the first public hearing for any meeting that requires public notice. If there are additional meetings, they are **not re-noticed**. Be advised that it is the responsibility of any interested party to follow the continuance date or dates, as well as to be apprised of whether project revisions have been submitted.

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1 "Board" is used here as a generic term for the City Council, commissions, committees, task forces, and other public decision-making boards.